

•CONSUMER SERVICE

We can help you

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SHOP FOR INSURANCE

Make informed decisions before you buy

- [Insurance Basics](#)
- [Compare Rates](#)
Automobile, Medicare Supplement

INSURANCE BASICS

- [Automobile](#)
- [Homeowners](#)
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AUTOMOBILE INSURANCE

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COMPULSORY INSURANCE

The Division of Motor Vehicles enforces the compulsory insurance requirements of persons who have vehicles licensed in this state. Individuals must purchase an automobile insurance policy before they license a vehicle. They must carry the following limits of coverage:

- Liability:

- Property damage: \$10,000
 - Bodily injury: \$20,000/\$40,000
- Uninsured Motorist:
 - Property damage: \$10,000
 - Bodily injury: \$20,000/\$40,000

For further information on compulsory insurance and penalties for noncompliance, contact the WV Division of Motor Vehicles
 1800 Kanawha Boulevard East, Building 3
 Charleston, WV 25305
 304-558-3900 or 800-642-9066.

CANCELLATION/NON-RENEWAL

- If your automobile insurance policy has been in effect for sixty (60) days, our laws allow an insurer to cancel your personal automobile insurance policy *only* for specific reasons. If your policy has been in force for more than two (2) consecutive years, you have similar statutory protection.
- If you question the reasons for the cancellation or non-renewal of your automobile insurance, contact our office. We will assist you by:
 - Checking to make sure the action was taken in accordance with the terms of the policy and the law.
 - Contact the company for reinstatement if the action is illegal or unjustified.

AUTOMOBILE INSURANCE RATE COMPARISON

HOMEOWNERS INSURANCE

- Purchasing homeowners/renters insurance
- The West Virginia FAIR Plan
- Loss Prevention Tips
- Things to do before a loss
- What to do if a loss occurs

PURCHASING HOMEOWNERS/RENTERS INSURANCE

- Who should purchase?
 - Persons who own a house

- Persons who rent a house or apartment
- Why should you purchase?
 - To protect against losses from:
 - Fire, windstorm or other physical damage
 - Theft of personal property
 - Legal liability for injury or damage arising from your negligence or that of members of your family.

A homeowner policy protects against losses for the dwelling and personal property, while a renters policy protects against losses for personal property.

THE WEST VIRGINIA FAIR PLAN

- The FAIR Plan, which means “Fair Access Insurance Requirements” was established to ensure availability of essential property insurance for personal and commercial property owners who are unable to secure insurance in the voluntary insurance market.
- The FAIR Plan began operation in November of 1986 and accepts applications from all parts of the State for personal and commercial property owners who are unable to secure insurance in the voluntary insurance market
- Property owners must maintain their property within reasonable standards, as there are minimum eligibility and fire safety standards which must be met.
- Your insurance agent can submit an application and take photographs of the property to be insured.
 - If the property is acceptable, an inspection of the premises is ordered
 - The inspection will determine if the property is insurable, as well as what rate will be charged
- The FAIR Plan provides essential insurance coverage for buildings and personal belongings for:
 - Fire insurance, including coverage for damage caused by lightning
 - Coverage for damage by wind and hail, aircraft, vehicles, smoke and explosion
 - Mine Subsidence Damage up to \$ 100,000 for private dwellings and \$ 300,000 for commercial property
- ***NO*** liability coverage is provided

LOSS PREVENTION TIPS

- Install smoke and heat detectors near sleeping areas
- Keep your house or apartment clear of accumulated trash, oily rags and combustible materials

- Check lamps, lamp cords, and light switches to make sure there is no faulty wiring
- Practice home fire drills. Make sure *everyone* knows what to do in case of fire
- Keep matches away from children
- Make sure that smokers do not smoke in bed
- Install adequate locks on your home
- Don't let newspapers accumulate in your absence

THINGS TO DO BEFORE A LOSS

- Take and date photographs of each room of your house
- Make copies of sales slips of all major items purchased for the home, such as a television, stereo, cameras, etc . . .
- Make a complete inventory of all contents of our home or apartment
- Keep a list of serial numbers of all "theft prone items"

Keep the photos and inventory information in a safe location somewhere other than your home

WHAT TO DO IF A LOSS OCCURS

- Contact your insurance agent or company representative
- If the loss is by theft, notify the police department
- Protect your property from further loss or damage
 - If possible, make temporary repairs
 - Take photographs of the damage first
 - Keep a record of what you have spent, *including* receipts
- Make a list of all damaged, destroyed, or stolen property
 - Include the age and value of each item
- Show the damaged property to your agent or company representative, if requested.
- If the accident involves personal injury to someone on your property, *do not* admit liability or fault

HEALTH INSURANCE

- West Virginia Children's Health Insurance Program (WV CHIP)
- Medicare Supplement Insurance
- Health Maintenance Organizations (HMO's)

WEST VIRGINIA CHILDREN'S HEALTH INSURANCE PROGRAM

- Free or low-cost health plan for children, birth through age 18
- Subject to annual family income limits
- Provides necessary and preventive health care for children

- For information on eligibility, obtain an application or obtain specific coverage information contact:
 - Your local Department of Health and Human Resource Office
 - WV CHIP Hotline at 877-WVA-CHIP

MEDICARE SUPPLEMENT INSURANCE

- “Medigap” Policies
- Open Enrollment
- Guaranteed Renewable
- Contact Medicare
- Medicare Supplement Plan Rate Comparison

MEDIGAP POLICIES

- Regulated by federal and state law
- Plans must be clearly identified as Medicare supplemental insurance
- Must provide specific benefits that help fill the gaps in your Medicare coverage
 - Pay most, if not all, Medicare coinsurance amounts
 - May provide coverage for Medicare’s deductibles
 - May provide prescription benefits
- There are ten (10) Medigap plans that companies can offer in West Virginia.
- Benefits are the same for plans *of the same type*, but the premiums may vary greatly from company to company

OPEN ENROLLMENT

- Guarantees your right to Medigap coverage without imposing preexisting condition restrictions for health problems
 - Coverage *must* be purchased within the six (6) month period from the date you are
 - Age 65 and
 - Enrolled in Medicare Part B
 - You may purchase the plan of your choice regardless of health problems

GUARANTEED RENEWABLE

- Standard Medigap policies issued after 1992 are guaranteed renewable
- The company cannot refuse to renew your policy *unless*:
 - You do not pay the premiums
 - You made material misrepresentations on the application

CONTACT MEDICARE

- For further information on Medicare
 - Part A
 - 800-340-5200
 - Part B
 - 800-848-0106
 - On the web
 - www.medicare.gov

MEDICARE SUPPLEMENT PLAN RATE COMPARISON

HEALTH MAINTENANCE ORGANIZATIONS

- Patients Bill of Rights

PATIENTS BILL OF RIGHTS

West Virginia's Patients Bill of Rights requires HMO's to always put patient health first and to put health care decisions back into the hands of the patients and their doctors.

- Under the new law:
 - You have the right to emergency care
 - You have the right to choose your primary care physician
 - You have the right to change your primary care physician after six months
 - You have the right to appropriate and timely referral to a specialist
 - You have the right to a second opinion in serious cases
 - You have the right to proper notice of your mandated benefits
 - Your HMO cannot offer incentives to doctors to deny you *medically* needed treatment
- If you and your HMO have a dispute over whether a treatment you need is covered:
 - You have the right to appeal to the HMO's internal review program
 - You have the right to appeal the HMO's decision to the West Virginia Insurance Commission
 - You have the right to appeal any decision of the West Virginia Insurance Commission in court
- If there is a dispute between you and your HMO over the medical necessity of a treatment, or over whether a treatment you need is experimental:
 - You have the right to appeal to the HMO's internal review program
 - You have the right to a review by an independent, external review by up to three health care providers (This provision will become effective in July, 2002)

- You have a right to a decision within seven days in urgent cases
- You have the right to appeal these decisions in court

Under this new law, you have the right to recover damages in court if *your HMO did not abide by the findings of the external review process* and you have been injured by the actions of your HMO. The process is designed to avoid injury - by creating a system for quick settlement of disputes - rather than to encourage lawsuits.

The provisions of this law apply to people whose insurance coverage is regulated by West Virginia law. Unfortunately, we do have the power to regulate health insurance plans that are under federal jurisdiction.

GLOSSARY OF INSURANCE TERMS

Agent: An insurance sales person. a) An independent agent does not work for any insurance company and sells the policies of more than one insurer; b) an exclusive agent sells the policies of only one insurance company.

Arson: The willful and malicious burning of, or attempt to burn, any structure or other property, often with criminal or fraudulent intent.

Automobile Insurance Plan: A state supervised insurance plan for people who cannot find automobile insurance (this may also be referred to as the Assigned Risk Plan). Each driver in the plan is assigned to an insurance company. The cost of this insurance is higher than in the regular market.

Automobile Physical Damage Insurance: Coverage to pay for damage to or loss or policyholder's automobile resulting from collision, fire, theft or other perils.

Binder: A temporary written or oral insurance contract which is effective until it is replaced by a regular policy.

Catastrophe: In insurance, a term applied to an incident or series of related incidents causing insured property losses totaling more than \$5 million.

Claim: A person's request for payment by an insurer for a loss covered under a policy. Your claims to your company are "first-party claim". Claims made by one person against another person's company are known as "third-party claims".

Claimant: A person who files a claim with an insurance company.

Collision Coverage: *Optional* insurance which pays for damage to your automobile caused by collision with another automobile or object, or by rolling the car over. Frequently required if you have a car loan.

Comprehensive Coverage: *Optional* insurance which pays for damage to your automobile

caused by things other than collision or rolling the car over such as fire, theft, vandalism, flood or hail. This is frequently required if you have an automobile loan.

Compulsory Insurance: Any form of insurance which is required by law.

Conditions: Part of an insurance policy which states your obligations and those of your insurance company in order for the policy to be in effect.

Coverage: The scope of protection provided under a contract of insurance; any of several risks covered by a policy.

Deductible: The amount which you agree to pay, per claim or per accident. This is subtracted from the total amount paid by your insurer. If the claim is \$500 and your deductible is \$100, you pay \$100 and your insurance company will pay \$400. The higher the deductible, the lower your premium will be for the policy.

Exclusions: Provisions that explicitly limit the coverage provided by a policy.

Insurance: A system under which individuals, businesses and other organizations or entities, in exchange for a payment of a sum of money (a premium), are guaranteed compensation for losses resulting from certain perils under specified conditions.

Insurance Company: A company which, in exchange for a fee (known as a premium), agrees to pay all legitimate claims that may arise under your policy.

Insurance Department: Enforces rules for the insurance business in each state. Source of information about all types of insurance; also handles consumer inquiries and complaints.

Insured: Person or organization covered by an insurance policy.

Insurer: The provider of insurance, such as an insurance company or other organization.

Liability Coverage: Insurance which pays the losses of other people, which you caused unintentionally or through negligence.

Liability Limits: The largest amount of money an insurer will pay in case of a covered loss. Amounts are set in per person and/or per accident limit.

Loss: The basis on which an insurance claim is submitted and/or paid.

Medical Payments Coverage: A form of insurance that pays for medical and funeral expenses regardless of liability.

Negligence: Failure to exercise a generally acceptable level of care and caution.

Policy: A contract of insurance.

Policyholder: The person who buys insurance.

Policy Period: The amount of time an insurance contract (policy) lasts.

Premium: The amount you pay for insurance coverage.

Pro Rata Cancellation: Cancellation of the policy by the insurance company. All unearned premium is returned to the insured.

Proof of Loss: Documents that you give to the insurer to support your request for payment of losses. The company uses these documents to determine whether and how much it will pay. (Ex.: Police report and written repair estimates from automobile body shops.)

Provisions: A list of actions a policyholder must take in order to make an insurance claim. Included in provisions can be additional specifications of the insurer's responsibility to the insured.

Rate: The pricing factor upon which the insurance buyer's premium is based.

Risk: The chance of loss.

Short Rate Cancellation: Cancellation of an insurance policy by the insured. Return premium is calculated on a short rate basis, meaning the insurance company keeps a portion of the unearned premium to cover expenses.

Substandard: A greater than normal risk to an insurer.

Surcharge: An additional charge made when a company pays a claim on your behalf or when you are convicted of a moving vehicle violation.

Underinsured Motorist Coverage: A form of insurance which provides coverage when the liability coverage of the at-fault party is inadequate to cover the amount of damages or injuries.

Underwriting: The process of selecting risks for insurance and determining in what amounts and in what terms the insurance company will accept the risk.

Uninsured Motorist Coverage: A form of insurance which covers the policyholder and family members if injured by a motorist who carries no liability insurance, assuming the other driver is at fault, or if injured by a hit and run motorist.

COMPARE RATES

- Automobile Insurance
- Medicare Supplement Insurance

GET HELP WHEN YOU NEED IT

Having problems with your insurance? We can help!

- Reach us by telephone at: 1-800-642-9004 or 304-558-3386
TDD 1-800-435-7381 or 304-558-1296
- Contact us in person or by mail at: 1124 Smith St. Suite 309, P.O. Box 50540
Charleston, WV 25303-0540
- Fax information to us at: 304-558-4965
- Contact us by e-mail at: wvinscs@mail.wvnet.edu
- File a complaint

FILE A COMPLAINT

- Call our office and speak with a Complaints Examiner at (800)642-9004 or (304) 558-3386. Our TDD telephone numbers are 1-800-435-7381 or 304-558-1296
- To file a formal complaint, you must submit it in writing in letter form or print and complete the complaint form. You should include the following information:
 - Your name, address, and telephone number
 - Policyholder's name and address, if different from yours
 - Name of the insurance company, and the name of the agent
 - Policy period
 - Policy or claim number
 - Date of loss
 - A brief statement of your problem, and include any documentation pertaining to your complaint

COMPLAINT FORM

[illegible]

In addition, I hereby authorize any insurance company, or their representative, to make available to the West Virginia Insurance Commission all medical and claim related data pertinent to this complaint. Said data will be retained by the Insurance Commission or returned to the insurance company supplying same, if requested.

(Signature)

1124 Smith Street, Room 309, P.O. Box 50540, Charleston, WV 25305-0540

304-558-3386

(Date)

800-642-9004 (toll free in WV)